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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,399	02/07/2006	Galileo June Adeva Destura	NL.030971	3953

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

DHARIA, PRABODH M

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

09/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/567,399

Applicant(s)

DESTURA ET AL.

Examiner

Prabodh M. Dharja

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because not on a separate sheet. Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities: disclosure is missing following:

**Content of Specification**

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.

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- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

Appropriate correction is required.

5. Claims 1-14 are objected to because of the following informalities: word "further" has been used to address the electrodes and sensing element. The word "further" is used as a part of the display apparatus with touch screen makes claims indefinite as "further" is used in the English Language as approximate measurement. Appropriate correction is required.

***Response to Amendment***

6. The amendment filed 02-07-2006 does not introduces any new matter into the disclosure. The added material is supported by the original disclosure. The claims are amended to avoid the claims being in the multiple dependent forms.

7. **Status:** Receipt is acknowledged of papers submitted on 02-06-2007 under amendments and new claims, which have been placed of record in the file. Claims 1-14 are pending in this action.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over More et al. (US 5,194,852 A) in view of Bergman et al. (US 5,859,631 A).

Regarding Claim 1, More et al. teaches a touch sensitive display (Col. 6, Lines 45-65) comprising pixels (Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25), each of the pixels having a pixel electrode (Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25 discloses display electrodes or display elements electrodes which are pixel electrodes please see figures ) and an optical state depending on a drive voltage supplied to the pixel electrode

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(Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63)

and a touch sensitive element arranged between the pixel electrode and a further electrode

(please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54,

Col. 16, Line 64 to Col. 17, Line 5), Further More et al discloses the touch sensitive element

having a variable impedance dependent on a distance between touch position to the edges.

However, More et al. fails to disclose having an impedance depending on mechanical forces.

However, Bergman et al. discloses an impedance depending on mechanical forces (Col. 1, Lines 21-36).

The reason to combine a touch screens, having several different transparent layers on which conductive patterns are printed and the layers are touch-sensitive in such a way that the impedance in the conductive pattern is altered upon pressure or upon touching the layer on the screen, and this change in impedance is used to call up various functions in an associated computer. (Col. 1, Lines 21-27)

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Bergman et al. in teaching of More et al. to be able to have an user friendly display device with a touch screens, having several different transparent layers on which conductive patterns are printed and the layers are touch-sensitive in such a way that the impedance in the conductive pattern is altered upon pressure or upon touching the layer on the screen, and this change in impedance and these techniques are suited in particular for applications in which the user has to choose between a number of information images, as in menu selection, process control in the field of industry, different instruments, etc. (Col. 1, Lines 32-36).

Regarding Claim 2, More et al. discloses a sense circuit for sensing a voltage on the further electrode (Col. 21, Lines 21 to Col. 22, Line 42, Col. 27, Line 32 to Col. 28, Line 7, Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25, Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63).

Regarding Claim 3, More et al. discloses a predetermined voltage level is supplied to the further electrode (Col. 21, Lines 21 to Col. 22, Line 42, Col. 27, Line 32 to Col. 28, Line 7, Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25, Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63).

Regarding Claim 4, More et al. discloses the touch sensitive display is a bi-stable display (Col. 3, Lines 47-56).

Regarding Claim 5, More et al. discloses the touch sensitive display is an active matrix display comprising select electrodes and data electrodes, the pixels being associated with intersections of the select electrodes and the data electrodes, a select driver for supplying select voltages to the select electrodes, a data driver for supplying data voltages to the data electrodes, electronic switches (Col. 17, Line 66 to Col. 20, Line 64, please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54, Col. 16, Line 64 to Col. 17, Line 5), each being associated with a respective one of the pixels, and a controller for controlling the select driver to select the pixels associated with at least one of the select electrodes by activating the electronic switches being associated with the at least one of the select electrodes, and for

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controlling the data driver to supply the data voltages to the pixel electrodes of the pixels associated with at least one of the select electrodes (Col. 21, Lines 21 to Col. 22, Line 42, Col. 17, lines 64 to Col. 20, line 64, Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25, Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63).

Regarding Claim 6, More et al. discloses the touch sensitive display further comprises a voltage source for supplying, within at least a sub-area of the display, a predetermined voltage to the further electrode, wherein with each of the pixels of the sub-area a touch sensitive element is associated, the controller being arranged for controlling the select driver and the data driving to first bring all the pixels of the sub-area into a predetermined first optical state, and wherein a level of the predetermined voltage is selected to obtain the electronic switches being non-conductive and to obtain a voltage on the pixel electrode causing a change of the optical state of a particular one of the pixels of the sub-area when the mechanical force is applied to the touch sensitive element associated with this particular pixel (Col. 21, Lines 21 to Col. 22, Line 42, Col. 17, lines 64 to Col. 20, line 64, Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25, Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63).

Regarding Claim 7, More et al. discloses the further electrode is divided into a plurality of further electrodes being the select electrodes and the touch sensitive elements are arranged between the pixel electrodes and the select electrodes (please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54, Col. 16, Line 64 to Col. 17, Line 5).



Regarding Claim 8, More et al. discloses the controller is arranged for controlling the select driver and the data driver to first bring, in at least a sub-area of the display, all the pixels into the predetermined first optical state, and then the select driver to supply the predetermined voltage level to all the select electrodes (Col. 2, lines 64-66, Col. 10, Lines 5-28, Col. 23, Lines 57 to Col. 24, Line 25, Col. 13, Lines 59-64, Col. 28, Lines 52-65, please see figures 25A, 25B, Col. 16, Lines 55-63).

Regarding Claim 9, More et al. the touch sensitive display further comprises further touch sensitive switches being associated with the pixels and being arranged between the select electrodes and the data electrodes of the pixels (please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54, Col. 16, Line 64 to Col. 17, Line 5).

Regarding Claim 10, More et al. discloses the touch sensitive display further comprises further touch sensitive switches being associated with the pixels and being arranged between the pixel electrodes and the data electrodes of the pixels (please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54, Col. 16, Line 64 to Col. 17, Line 5).

Regarding Claim 11, Bergman et al. discloses the touch sensitive element has an impedance which decreases when a touch force is applied (Col. 1, Lines 21-36 when two conductor are open that is they are not in touch they are in high impedance state).

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Regarding Claim 12, Bergman et al. discloses the further touch sensitive element has an impedance, which decreases when a touch force is applied an impedance depending on mechanical forces (Col. 1, Lines 21-36 when two conductor are open that is they are not in touch they are in high impedance state).

Regarding Claim 13, More et al. discloses the touch sensitive element and/or the further touch sensitive element is a switch (please see figures 3A-5C and 20-23 Col. 9, Lines 24-47, Col. 15, Line 25 to Col. 16, Line 54, Col. 16, Line 64 to Col. 17, Line 5).

Regarding Claim 14, More et al discloses a display apparatus comprising a touch sensitive display (Col. 6, Lines 45-65).

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gombert; Bernd et al. (US 7,215,323 B2) Three-dimensional integrated tough screen input apparatus.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M. Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

12. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

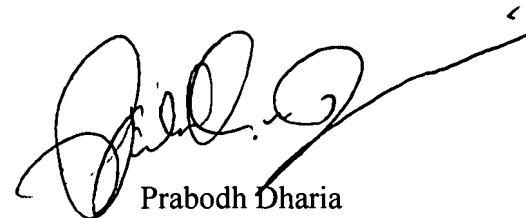
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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

A handwritten signature in black ink, appearing to read 'Prabodh Dharia', with a long horizontal flourish extending to the right.

Prabodh Dharia

Full Signatory Authority Program

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September 12, 2007